

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DUREY HOUSEN,  
Plaintiff,

v.

EQUIFAX INC.,  
Defendant.

**MEMO ENDORSED**

Case No. 24 CV 5718  
Before the Hon. Gary Stein

PLAINTIFF'S MOTION TO DISMISS WITHOUT PREJUDICE

Plaintiff Durey Housen, appearing pro se, respectfully moves this Court, the Honorable Judge Gary Stein presiding, under Rule 41(a)(2) of the Federal Rules of Civil Procedure for an order dismissing this action without prejudice, in order to pursue the claims raised herein through binding arbitration.

This motion is made in accordance with the binding arbitration clause found in Equifax Inc.'s Terms of Use, which governs the relationship between the parties and mandates that disputes be resolved through individual arbitration administered by the American Arbitration Association (AAA).

Plaintiff seeks this dismissal in good faith and not for the purpose of delay. No final judgment has been issued, and no prejudice will result to the Defendant, as arbitration remains a valid and available alternative forum under the Federal Arbitration Act, 9 U.S.C. §§ 1–16.

WHEREFORE, Plaintiff respectfully requests that the Court grant this motion and enter an order dismissing the above-captioned matter without prejudice so that the claims may proceed in arbitration.

Dated: April 7, 2025

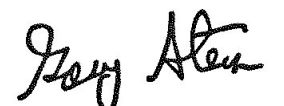
Respectfully submitted,



Durey Housen, Pro Se Plaintiff  
365 West 125th Street, Suite 3604  
New York, NY 10027

In light of Plaintiff's motion to voluntarily dismiss this action without prejudice, the deadlines pertaining to the pending motion for judgment on the pleadings (*see* Dkt. No. 28) are hereby stayed until the resolution of Plaintiff's motion for voluntary dismissal. **Defendants are directed to file any opposition to Plaintiff's motion by Thursday, April 24, 2025, and Plaintiff's reply, if any, will be due by Thursday, May 1, 2025.** The Court reminds the parties that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties may obviate the need for court approval by stipulating to the dismissal. **SO ORDERED.**

Dated: New York, New York  
April 10, 2025



Gary Stein  
United States Magistrate Judge  
Southern District of New York